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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,550	01/16/2004	Lin Shu-Sui	OR0401AA	8105
22192	7590	08/25/2004	EXAMINER	
LAW OFFICE OF LIAUH & ASSOC. 4224 WAIALAE AVE STE 5-388 HONOLULU, HI 96816			SHAKERI, HADI	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/759,550	Applicant(s) SHU-SUI ET AL.	
	Examiner Hadi Shakeri	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 1 recites the limitation "the other side" in line 14. There is insufficient antecedent basis for this limitation in the claim. The pawl element as recited and disclosed would have six sides, thus "the other" lacks sufficient antecedent basis. Applicant may wish to replace it with, -- another side--.

Further regarding claim 1, "above" line 4, and "a lower edge" line 10, are inappropriate, since above and below would depend on the orientation of the tool, also an opening or a hole, is empty space. It does not have structure or dimensions to have a lower edge.

Also regarding the last 7 lines, i.e., the functional/narrative language, it is noted that again the clockwise and/or counter clockwise rotations causing the functions recited depends on the orientation of the tool, i.e., if the tool is disengaged and turned upside down and engaged with the workpiece again, it would have the reverse effects as recited.

Spring anchored at a vertical portion does not clearly define the invention. Applicant may wish to amend the claims and the specification correspondingly as follows;

1. A wrench including an enclosed box portion, the enclosed box portion comprising:
a circular opening including an annular first groove having a diameter larger than that of the circular opening and an annular second groove formed above at an axial end of the first

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groove, the second groove having a diameter larger than that of the first groove; an internal crescent cavity disposed adjacent a handle and being in communication with the first groove; a positioning mechanism including a ring rested on a shoulder ~~between a lower edge of~~ formed by the circular opening and the first groove, a flat portion extended from the ring to rest on the cavity, and a spring anchored at another portion extended from the ring normal to said flat portion ~~a venial portion~~ to urge against a wall of the cavity; a pawl element disposed in the cavity, the pawl element including a pawl section at one side and a bent portion at another ~~the other~~ side, the bent portion being urged by the spring to lean against the wall of the cavity', a ring member having an annular recess; a flexible C-ring put on the recess; and a ratchet wheel mechanism disposed in the circular opening, the ratchet wheel mechanism including a central opening having a plurality of projections formed around an inner wall thereof, a projecting ratchet wheel surrounded by the first groove, the ratchet wheel being maintained to engage with the pawl section by the spring, and an upper portion with the ring member fitted therearound and the recess being flush with the second groove so that the C-ring is adapted to expand to partially insert into the second groove for preventing the ratchet wheel mechanism from disengaging from the circular opening, whereby ~~counterclockwise~~ rotating the enclosed box portion in a first direction ~~will transfers~~ extended force to the projections since by urging the pawl element ~~is urged~~ against the wall of the cavity and a rotation of the pawl section relative to the ratchet wheel is prohibited; ~~or clockwise~~ and rotating the enclosed box portion in a second direction opposite to the first direction ~~will causes~~ the projections to be inoperative ~~since by substantially disengaging~~ the pawl element ~~is substantially disengaged~~ from the wall of the cavity, and the pawl element ~~clockwise rotates relative to the ratchet wheel~~ with the spring being compressed by the bent portion.

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2. The wrench of claim 1, wherein the ~~venial portion~~ said another portion normal to the flat portion of the positioning mechanism comprises a ~~venial~~ first member and a tab projected therefrom to insert into the spring.

Allowable Subject Matter

4. Claims 1 and 2 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

5. The following is a statement of reasons for the indication of allowable subject matter: a positioning mechanism as recited in addition to the other limitations places the Application in allowance over prior art of record.

Conclusion

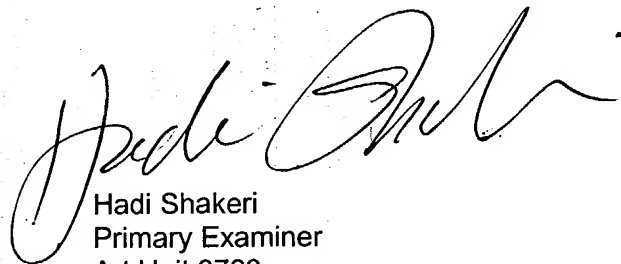
6. Prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Hsu, Chang, Ma and Wu are cited to show related inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is 703-308-6279. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Hadi Shakeri', is written over the printed name and title.

Hadi Shakeri
Primary Examiner
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August 17, 2004